

EXHIBIT 24

From: [Jared Bunker](#)
To: [Jordan Malz](#)
Cc: [Carson Olsheski](#); [Jack Phillips](#); [Knobbe.MasimoDE](#); [Palapura, Bindu A.](#); [Greenfield, Leon](#); [Milici, Jennifer](#); [Kerri-Ann Limbeek](#); [Megan C. Haney](#); [Vote, Dominic](#); [Ford, Mark](#); [Peter Magic](#); [Apple Masimo Service](#); [Moore, David E.](#); [Benjamin Luehrs](#); [Lee Matalon](#)
Subject: RE: Apple v. Masimo (C.A. Nos. 1377/1378) - ESI Stipulation
Date: Friday, July 21, 2023 2:48:28 PM
Attachments: [2023-07-21 Masimo's First Revised Email Requests \(clean\) - 1377 and 1378 - MASIMOL.1593L_1594L.DOCX](#)
[2023-07-21 Masimo's First Revised Email Requests \(redline\) - 1377 and 1378.pdf](#)

Jordan,

I'm attaching Masimo's revised email requests, along with a pdf showing our changes in redline.

Here are responses to some of the points raised during our meet and confer:

- Mr. Jensen served temporarily as a Sr. VP at Masimo. Masimo agrees to treat Mr. Jensen as a custodian and Masimo will search its systems for any emails of Mr. Jensen. This does not include Knobbe email. Cercacor and Sound United have no custody or control over any of Mr. Jensen's emails.
- We already provided more than enough explanation for including Messrs. Cook, Perica, and Williams. Messrs. Lynch and Jessen are included for similar reasons. As requested, if you have any support for the suggestion that the apex doctrine applies to email requests, please provide it.
- In our revised requests, we have selected a subset of terms for Mr. Myers.
- For Term Nos. 12-15, we added a proximity limiter.
- For Term No. 16, while "iSpO2" is a product, it is a Masimo product – not an Apple product – and it is not a common term. It is thus reasonable to include it without a secondary term. We narrowed the timeframe to six months before Masimo's press release announcing the release of iSpO2.
- For Term No. 17, we added a secondary term and narrowed the timeframe to 2018.
- For Term No. 18, we limited the timeframe but did not add a proximity limiter because that term requires three terms and is thus already narrow.
- For Term No. 19, we added a proximity limiter and a secondary term, and limited the timeframe.
- For Term No. 20, we limited the timeframe but did not add a proximity limiter because that term requires three terms and is thus already narrow. We also modified "app*" to address the issue raised with "apple" and added an exclusionary phrase to address the issue raised with "iPhone."

Please confirm that Apple will run preliminary searches on these terms. We are available for a call on

Monday if that would be helpful.

Sincerely,
Jared

Jared Bunker
Partner
949-721-2957 Direct
Knobbe Martens

From: Jordan Malz <JMalz@desmaraisllp.com>
Sent: Friday, July 21, 2023 1:49 PM
To: Jared Bunker <Jared.Bunker@knobbe.com>; Lee Matalon <LMatalon@desmaraisllp.com>
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Subject: RE: Apple v. Masimo (C.A. Nos. 1377/1378) - ESI Stipulation

Jared,

We can exchange revised e-mail search terms today at 6 PM (Eastern) / 3 PM (Pacific). Would that time work for you? Or if you would prefer another time, please let us know.

Best,
Jordan

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From: Jordan Malz <JMalz@desmaraisllp.com>
Sent: Thursday, July 20, 2023 11:33 PM
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